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Attorneys for Defendants,
MACH II AVIATION, INC. & ESCAPE VELOCITY OF TAMPA BAY, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOODMAN BALL, INC.,
Plaintiff,

Case No. 3:07-cv-01148-BZ

**DEFENDANTS' UNOPPOSED MOTION
TO APPEAR TELEPHONICALLY AT
NOVEMBER 4, 2009 HEARING**

v.

MACH II AVIATION, INC., and ESCAPE
VELOCITY OF TAMPA BAY, INC.,

The Honorable Bernard Zimmerman

Defendants. /

**DEFENDANTS' UNOPPOSED MOTION TO APPEAR TELEPHONICALLY AT
NOVEMBER 4, 2009 HEARING**

1 Defendants, Mach II Aviation, Inc. ("Mach II") and Escape Velocity of Tampa Bay, Inc.
2 ("Escape Velocity") (together, "Defendants"), file this Unopposed Motion to Appear
3 Telephonically at the November 4, 2009 hearing and state as follows:
4

1 1. A hearing on Plaintiff's Motion to Enforce Court's Order and for Attorneys' Fees
2 is scheduled in this matter for November 4, 2009 at 10:00 a.m. PST.

3 2. Defendants' lead counsel, John E. Johnson, Esq. and Janelle A. Weber, Esq., are
4 based in Tampa, Florida. In order to avoid incurring unnecessary attorneys' fees and costs,
5 Defendants respectfully request that this Court permit Mr. Johnson and Ms. Weber to appear
6 telephonically at the hearing.

7 3. On September 29, 2009, counsel for Defendants conferred with counsel for
8 Plaintiff regarding the relief sought in this Motion. Counsel for Plaintiff does not oppose the
9 telephonic appearance.

10 WHEREFORE, Defendants, Mach II Aviation, Inc. and Escape Velocity of Tampa Bay,
11 Inc. respectfully request that this Court grant their Unopposed Motion to Appear Telephonically
12 at the hearing on Plaintiff's Motion to Enforce Court's Order and for Attorney's Fees scheduled
13 for November 4, 2009 at 10:00 a.m.

Respectfully submitted,
SHUTTS & BOWEN LLP

/s/Janelle A. Weber
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Attorneys for Defendants, Mach II Aviation,
Inc. and Escape Velocity of Tampa Bay, Inc.

DECLARATION OF JANELLE A. WEBER

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2 I, JANELLE A. WEBER, declare as follows:

3 1. I am an attorney at law duly admitted to practice *pro hac vice* before the United
4 States District Court for the Northern District of California and duly admitted to
5 practice before the courts of the State of Florida and State of New York. I am an
6 attorney of record for Defendants, Mach II Aviation, Inc. and Escape Velocity of
7 Tampa Bay, Inc., in the above-captioned matter.

8 2. I make this declaration in support of Defendants' Motion to Appear
9 Telephonically at November 4, 2009 Hearing. I have personal knowledge of the
10 matters set forth herein and, if called as a witness, I could and would competently
11 testify thereto.

12 3. On September 29, 2009, I communicated with Michael Ahmadshahi, Esq.,
13 counsel for Plaintiff, regarding the relief sought in Defendants' Motion. Mr.
14 Ahmadshahi stated that he does not oppose Defendants' counsel's telephonic
15 attendance at the hearing.

16 I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 30, 2009

/s/ Janelle A. Weber
Janelle A. Weber

1 CERTIFICATE OF SERVICE

2 I, JANELLE A. WEBER, certify under penalty of perjury that the foregoing was served
3 on the interested parties below, via the Court's Electronic Case Filing Program and/or United
4 States Mail on September 30, 2009.

/s/ Janelle A. Weber
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Attorneys for Plaintiff

TPADOCS 18552501 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOODMAN BALL, INC.,
Plaintiff,

Case No. 3:07-cv-01148-BZ

**PROPOSED ORDER GRANTING
DEFENDANTS' UNOPPOSED
MOTION TO APPEAR
TELEPHONICALLY**

v.

MACH II AVIATION, INC., and ESCAPE
VELOCITY OF TAMPA BAY, INC.,

The Honorable Bernard Zimmerman

Defendants. /

1 **PROPOSED ORDER GRANTING DEFENDANTS' UNOPPOSED MOTION TO**
2 **APPEAR TELEPHONICALLY**

3 This cause came before the Court on Defendants' Unopposed Motion to Appear
4 Telephonically at November 4, 2009 hearing. Having considered the foregoing motion,
5 the Court hereby grants Defendants' Unopposed Motion to Appear Telephonically at the
6 hearing on Plaintiff's Motion to Enforce Court's Order and for Attorneys' Fees scheduled
7 for November 4, 2009 at 10:00 a.m.

8 IT IS SO ORDERED.

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10 Date October 8, 2009.
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